

**UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION**

Fremont Solar, LLC

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Docket No. EG25-____-000

**NOTICE OF SELF-CERTIFICATION OF
EXEMPT WHOLESALE GENERATOR STATUS**

Pursuant to the Public Utility Holding Company Act of 2005,¹ and section 366.7 of the regulations of the Federal Energy Regulatory Commission (Commission),² Fremont Solar, LLC (Applicant) hereby submits this notice of self-certification as an exempt wholesale generator (EWG), as defined in section 366.1 of the Commission's regulations.³

I. COMMUNICATIONS

All communications regarding this Notice should be directed to:

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II. DESCRIPTION OF THE APPLICANT

Applicant is developing and will own and operate a 99 MWac (nameplate) solar photovoltaic electric generation facility combined with a 50 MWac (nameplate) battery energy storage system located in Iron County, Utah (Facility). The Facility will consist of solar modules and inverters, battery modules, and associated facilities and equipment necessary for the

¹ Pub. L. No. 109-58, § 1266, 119 Stat. 594, 975 (Aug. 8, 2005).

² 18 C.F.R § 366.7 (2024).

³ Id. § 366.1.

generation or storage and sale of electric energy at wholesale. The Facility will also include limited and discrete interconnection facilities necessary to effectuate Applicant's wholesale power sales from the Facility. The Facility will interconnect to the transmission system owned and operated by PacifiCorp.

III. REPRESENTATIONS REGARDING EXEMPT WHOLESALE GENERATOR STATUS

- a. Applicant is engaged directly and exclusively in the business of owning or operating, or both owning and operating, all or part of one or more eligible facilities and selling electric energy at wholesale.
- b. The Facility is an "eligible facility" because (i) it will be used for the generation or storage of electric energy exclusively for sale at wholesale;⁴ and (ii) it will include only those interconnecting transmission facilities that are necessary to effect a sale of electric energy at wholesale.
- c. No rate or charge for, or in connection with, the construction of the Facility, or for electric energy produced by the Facility (other than any portion of a rate or charge which represents recovery of the cost of a wholesale rate or charge), was in effect under the laws of any state on October 24, 1992. Therefore, no determinations by a state commission are necessary for this self-certification to become effective.
- d. No portion of the Facility will be owned or operated by an electric utility company that is an affiliate or associate company of Applicant, as defined in section 366.1 of the Commission's regulations.

⁴ The Commission has found that a battery energy storage system that stores energy for sale exclusively at wholesale qualifies as an "eligible facility" for purposes of EWG status. See AES ES Westover LLC, 131 FERC ¶ 61,008 at P 7 (2010).

- e. Applicant may be engaged in certain activities that are incidental to the generation of electric energy for sale at wholesale to the extent permitted by the Commission, including sales of ancillary services and renewable energy credits (RECs) or other environmental attributes associated with the electricity produced by the Facility. The Commission has determined that sales of ancillary services and RECs associated with an eligible facility do not jeopardize EWG status.⁵ In the event that Applicant is required to procure and sell RECs or other environmental attributes to fulfill its contractual obligations under a power purchase agreement, Applicant will not sell RECs or environmental attributes in excess of the Facility's power production capability. Applicant will not procure any RECs or environmental attributes solely for trading purposes, and will not otherwise engage in speculative trading activities.
- f. Applicant does not receive revenues for any other activities, including leases, licenses, or similar arrangements involving the Facility, that go beyond the core functions of an EWG.

IV. STATE COMMISSION NOTIFICATION

As required by section 366.7(a) of the Commission's regulations, Applicant is serving a copy of this self-certification on the Public Service Commission of Utah, the state commission of the state in which the Facility is located.

⁵ See Sithe Framingham, LLC, 83 FERC ¶ 61,106 (1998) (ancillary services); Madison Windpower, LLC, 93 FERC ¶ 61,270 (2000) (RECs). Other incidental activities that Applicant may engage in will be consistent with the Commission's precedent.

V. CONCLUSION

For the reasons set forth in this notice of self-certification, the Applicant satisfies the requirements of EWG status because it is engaged exclusively in the business of owning and operating eligible facilities and selling electric energy at wholesale.

Respectfully submitted,

/s/ Jessica Friedman

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On behalf of Fremont Solar, LLC

February 13, 2025